

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TRACY ANN WARD,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

NO. CV-09-113-CI

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Magistrate Judge Imbrogno filed a Report and Recommendation (Ct. Rec. [21](#)) on February 19, 2010, recommending Defendant's Motion to Dismiss be granted. Objections to the Report and Recommendation were due on March 5, 2010. There being no objections to the Report and Recommendation and upon review, the Court **ADOPTS** the Report and Recommendation's reasoning and ruling that the Court does not have jurisdiction to review the administrative law judge's decision not to reopen Plaintiff's prior applications. Accordingly, **IT IS HEREBY**

ORDERED:

1. Defendant's Motion to Dismiss (Ct. Rec. [14](#)) is **GRANTED**.

2. Plaintiff's Complaint (Ct. Rec. [4](#)) is **DISMISSED WITH PREJUDICE**.

3. Plaintiff's Motion for Summary Judgment (Ct. Rec. [12](#)) is
DENIED.

4. **Judgment** is to be entered in Defendant's favor.

5. This file shall be **CLOSED**.

IT IS SO ORDERED. The District Court Executive is to enter this Order and forward copies to counsel.

DATED this 23rd day of March 2010.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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